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**TRANSMITTAL  
FORM***(to be used for all correspondence after initial filing)*

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| <b>TRANSMITTAL<br/>FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/654,417             |            |
|  | Filing Date          | September 4, 2003      |            |
|  | First Named Inventor | Philip Kwan et al.     |            |
|  | Art Unit             | 2131                   |            |
|  | Examiner Name        | Unassigned             |            |
| Total Number of Pages in This Submission   | 5                    | Attorney Docket Number | FOUND-0058 |

**ENCLOSURES (check all that apply)**

|   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Revocation of Attorney and Power of Attorney, Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <b>Remarks</b>  |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |                                   |
|-------------------------|-----------------------------------|
| Firm or Individual name | David B. Ritchie, Reg. No. 31,562 |
| Signature               |                                   |
| Date                    | 2/19/04                           |

**CERTIFICATE OF MAILING**

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                 |      |         |
| Typed or printed name   | Beatrice Orozco |      |         |
| Signature   |                 | Date | 2/19/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Philip Kwan et al.  
SERIAL NO.: 10/654,417  
FILING DATE: September 4, 2003  
TITLE: Multiple Tiered Network Security System, Method and Apparatus Using  
Dynamic User Policy Assignment  
EXAMINER: Unassigned  
ART UNIT: 2131

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**CERTIFICATE OF MAILING**

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**INFORMATION DISCLOSURE STATEMENT**

Each item of information listed in the attached FORM PTO-1449, for which a  
copy of each is attached, may be material to the examination of the above-identified  
application and is, therefore, submitted in compliance with the duty of disclosure defined  
in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to make these items of  
official record in this application.

This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

**I**

This statement is filed pursuant to:

☒ 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits, or (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

☐ 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97 (b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113; (2) a notice of allowance under 37 C.F.R. § 1.311; or (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17 (p) for submission of an information disclosure statement under 37 C.F.R. § 1.97 (c) (\$180); or a certification according to 37 C.F.R. § 1.97 (e).

☐ 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180), and a certification according to 37 C.F.R. § 1.97(e).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

II

- ( X ) No fee is due.
- ( ) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

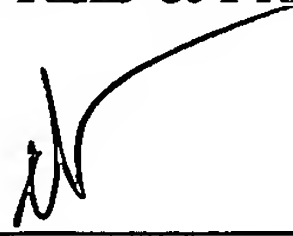
III

Pursuant to 37 C.F.R. § 1.97(e) , I certify:

- ( X ) No certification is necessary.
- ( ) (1) Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information statement; or
- ( ) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

Respectfully submitted,  
THELEN REID & PRIEST LLP

Dated: February 19, 2004

  
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David B. Ritchie  
Reg. No. 31,562

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| Form PTO 1449<br>(Rev. 2-32)  |   |  |      | U.S. Department of Commerce<br>Patent and Trademark Office |                 | Atty. Docket No.<br>FOUND-0058       |             | Serial No.:<br>10/654,417 |  |
| Information Disclosure Statement by Applicant   |   |  |      |  |                 | Applicant: Philip Kwan et al.        |             |                           |  |
| (Use several sheets if necessary)   |   |  |      |  |                 | Filed: September 4, 2003 Group: 2131 |             |                           |  |
| U.S. Patent Documents   |   |  |      |  |                 |                                      |             |                           |  |
| Init.   |   | Document No.   | Date | Name   | Class           | Subclass                             | Filing Date |                           |  |
|   |   |  |      |  |                 |                                      |             |                           |  |
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| Foreign Documents   |   |  |      |  |                 |                                      |             |                           |  |
|   |   |  |      |  |                 |                                      |             | Translation               |  |
| Init.   |   | Document No.   | Date | Country  | Class           | Subclass                             | Yes         | No                        |  |
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|   |   |  |      |  |                 |                                      |             |                           |  |
| Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)  |   |  |      |  |                 |                                      |             |                           |  |
|   | A | Cisco Systems, Inc., Chapter 9, Configuring 802.1X Port-Based Authentication”, Catalyst 3550 Multilayer Switch Software Configuration Guide, Cisco IOS Release 12.1(13) EA1, March 2003, pp. 1-18. |      |  |                 |                                      |             |                           |  |
|   | B | Cisco Systems, Inc., Chapter 20, “Configuring Port-Based Traffic Control”, Catalyst 3550 Multilayer Switch Software Configuration Guide, Cisco IOS Release 12.1(13) EA1, March 2003, pp. 1-14.     |      |  |                 |                                      |             |                           |  |
|   | C | Cisco Systems, Inc., Chapter 27, “Configuring Network Security with ACLs”, Catalyst 3550 Multilayer Switch Software Configuration Guide, Cisco IOS Release 12.1(13) EA1, March 2003, pp. 1-48.     |      |  |                 |                                      |             |                           |  |
|   | D | The Institute of Electrical and Electronics Engineers, Inc., “Port-Based Network Access Control”, 2001, pp. 1-134.   |      |  |                 |                                      |             |                           |  |
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|   |   |  |      |  |                 |                                      |             |                           |  |
| Examiner  |   |  |      |  | Date Considered |                                      |             |                           |  |
| Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant. |   |  |      |  |                 |                                      |             |                           |  |